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General and complete disarmament

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

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I. Introduction

1. In paragraph 4 of its resolution 68/36, entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control", the General Assembly invited all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the resolution, and requested the Secretary-General to submit a report containing that information to the General Assembly at its sixty-ninth session.

2. Pursuant to that request, on 21 February 2014, a note verbale was sent to Member States inviting them to provide information on the subject. The replies received thus far are contained in section II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Governments

Cuba

[Original: Spanish]
[30 May 2014]

Cuba ensures strict compliance with environmental norms in all aspects of public life, including in the drafting and implementation of disarmament and arms control treaties to which it is a State party, such as the Chemical Weapons Convention, the Biological Weapons Convention, the Convention on Certain Conventional Weapons and the Treaty on the Non-Proliferation of Nuclear Weapons.

Protecting the environment is a priority for Cuba, which has robust legislation for protection of the environment and natural resources that is applied strictly by the competent agencies.

Cuba has many instruments to ensure environmental protection in the implementation of disarmament and arms control treaties and agreements to which it is a party, including:

- Article 27 of the Constitution, which incorporates the concept of sustainable development
- Act No. 81/1997 on the environment, which sets forth the principles underpinning Cuba's environmental policy
- Legislative Decree No. 207 on the use of nuclear energy, which establishes the general rules in this area
- Decree No. 208 on the national system of accounting for and control of nuclear material establishes the norms for the national system, with the aim of ensuring the efficient management of nuclear material and detecting any unauthorized use, loss or movement of such material
- Domestic laws on biosecurity and the implementation of the Biological Weapons Convention are reflected in Decree-Law No. 190/99 on biosecurity; decision No. 2/2004 of the Ministry of Science, Technology and the Environment on regulations for accounting for and control of biological

materials, equipment and related technologies; the most recent update of the list of biological agents that affect people, animals and plants; and the regulations for granting biosafety certification, which are contained in decisions Nos. 38/2006 and 180/2007, respectively, of the Ministry of Science, Technology and the Environment

- Legislative Decree No. 202/1999, which governs the implementation of the Chemical Weapons Convention at the domestic level
- Agreement No. 5517 of the Executive Committee of the Council of Ministers of 2005, entitled "On contraventions resulting from violation of the rules of the Chemical Weapons Convention", which rounded out the legislative measures needed to implement the Convention.

Cuba has acquired extensive experience in adopting and implementing laws and policies that enable it to comply with environmental norms; however, the existence of weapons of mass destruction and their ongoing development and potential use are among the most serious threats to international peace and security, to the fragile environmental balance on our planet and to sustainable development for all peoples without distinction.

Cuba reiterates that the only truly effective solution that can prevent the dire consequences of the use of weapons of mass destruction is the total elimination of such weapons.

Relevant environmental standards must be duly taken into account in international disarmament forums during the negotiation of international treaties and agreements on disarmament and arms control.

The Chemical Weapons Convention continues to be the only international agreement that provides for the verifiable destruction of weapons of mass destruction and the facilities where they are produced, and for the protection of humans and the environment.

Given the exceptional process of disposal of Syrian chemical weapons currently under way, including outside the territory of the Syrian Arab Republic, Cuba maintains that the removal and destruction of such weapons, as well as the destruction of chemical weapons production and storage facilities, should be conducted strictly in accordance with international environmental law and that all necessary measures should be taken to prevent potential risks.

Considering the more than 17,000 nuclear weapons that currently threaten the survival of the human race and the constant risk of death and destruction of the environment that would be posed by the use of even one in a hundred of those weapons, Cuba reiterates its call to begin without further delay negotiations for the early conclusion of a comprehensive convention for the complete elimination of nuclear weapons within a specified time frame and under strict international control.

A comprehensive treaty on nuclear disarmament must of necessity include measures for the protection of the environment.

A legally binding and multilaterally negotiated protocol to strengthen the Biological Weapons Convention is essential to protecting the environment and preserving the biodiversity of our planet.

In the view of Cuba, the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, which Cuba ratified on 10 April 1978, remains fully in force and of utmost importance.

Georgia

[Original: English]
[30 May 2014]

Georgia accords special attention to taking into account relevant environmental norms in negotiating treaties and agreements on disarmament and arms control, and fully ensures compliance with the aforementioned norms in the implementation of treaties and conventions.

Georgia adopts bilateral, regional and multilateral measures to contribute to ensuring the application of scientific and technological progress within the framework of international security, disarmament and arms control, without detriment to the environment.

Environmental norms were followed during the drafting and implementation of the Agreement on Disarmament and Arms Control, and all other agreements and conventions are regulated according to Georgian legislation, in particular by: the Law of Georgia on Environment Protection; the Law of Georgia on International Agreements; Administrative Code of Georgia; Criminal Code of Georgia.

Iraq

[Original: Arabic]
[19 March 2014]

1. Iraq emphasizes the need for observance of environmental norms. In order to protect the environment of our planet, the international community must uphold that basic principle in accordance with the criteria adopted at the United Nations Conference on Environment and Development and the relevant international conventions.

2. The Iraqi Ministry of the Environment is implementing an investment project aimed at developing a radiation monitoring mechanism. The main purpose of the project is to provide early warning of radioactive pollution throughout Iraq by putting in place monitoring systems in every governorate, focusing particularly on border areas. The systems are among the most advanced in the world and give sophisticated and accurate readings and analysis.

3. Iraq complies with all conventions on disarmament and non-proliferation by implementing a range of legislation on environmental protection and the economic, social and environmental dimensions of sustainable development. The Government has adopted numerous measures and laws to enforce the environmental norms set forth in disarmament agreements. Iraq complies with those environmental norms and does not possess or manufacture any weapons that have an impact on the environment.

4. Iraq is convinced of the need to foster cooperation and linkage between environmental agreements and international disarmament agreements. Such action

should ensure that the latter are implemented in a manner consistent with environmental norms.

5. States, including Iraq, whose national territory has witnessed wars and armed conflict need technical assistance to eliminate the pollution resulting from war, which has affected the health of the population and caused extensive environmental damage. In cooperation with the relevant international organizations, studies should be conducted and solutions formulated with a view to cleaning the environment and containing the effects of pollution.

Portugal

[Original: English]
[13 May 2014]

At its sixty-eighth session, the United Nations General Assembly, recalling previous resolutions, reaffirmed the importance of the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control, particularly in what concerns nuclear weapons. In this context, the Assembly adopted resolution 68/36, recognizing the importance of the adoption of measures that assure the scientific and technical progress by States, in the context of international security.

Portugal has adopted the highest standards regarding environmental protection and pollution prevention. Moreover, best practice guidelines as well as recommendations from the relevant international organizations have been translated into national legislation, particularly in the Environmental Directive for National Defense, dated 19 April 2011. Furthermore, Portugal fully complies with European Union law concerning environmental norms.

The Portuguese Armed Forces, in operation theatres, comply with the most environmentally protective or favourable provisions enshrined either in the Portuguese, the European Union, international or the host country legislations.

In addition, Portugal is party to all major disarmament and non-proliferation conventions in accordance with its international obligation under the Convention on Cluster Munitions and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction. Portugal has disposed of or destroyed its stock of, inter alia, cluster munitions and landmines and, in doing so, fully respected applicable environmental norms, which include standards agreed by the members of the European Union (Directive 2000/76/EC, on the incineration of hazardous wastes).

Being party to the Chemical Weapons Convention and the Biological and Toxin Weapons Convention requires from Portugal control measures that are either fully in place or are being implemented, thus contributing to environmental safety and security.

In addition, Portugal complies with such norms when destroying firearms that are found or seized by police forces. The procedures by which they are destroyed are described in more detail in the United Nations International Tracing Instrument report and the Organization for Security and Cooperation in Europe Document on Small Arms and Light Weapons.

Portugal is a State signatory of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (adopted by resolution 31/72 of the United Nations General Assembly on 10 December 1976) which recalls the "Declaration of the United Nations Conference on the Human Environment", adopted at Stockholm on 16 June 1972, and is proceeding with its ratification.

Ukraine

[Original: Russian]
[30 May 2014]

1. Disposal of *mélange* liquid rocket fuel components

In accordance with an addendum to the contract dated 16 September 2009 between the Ukrainian Defence Ministry, the Organization for Security and Cooperation in Europe and the joint stock company TekhnoAzot for services related to the disposal of *mélange* stockpiles, as at March 2014 work had been carried out to dispose of the remaining stocks of *mélange* stored in the territory of Ukraine.

A road map for completion of an environmental survey and the reclamation of liquid rocket fuel storage sites is now being implemented.

2. Disposal of light weapons and anti-personnel mines

The disposal of surplus small arms of the Ukrainian armed forces is being carried out under an implementation agreement on the disposal of man-portable air defence systems, light weapons and conventional munitions entered into by the Cabinet of Ministers of Ukraine and the North Atlantic Treaty Organization (NATO) Maintenance and Supply Organization pursuant to a decision of the Cabinet of Ministers dated 17 November 2005.

A NATO/Partnership for Peace Trust Fund project to be carried out in Ukraine over a period of 12 years provides for the destruction of 1,000 man-portable air defence systems, 133,000 tons of conventional munitions and 1.5 million small arms. Practical work has been under way since April 2012 on the destruction of 366,000 small arms and 76,000 tons of munitions.

The planning and implementation of these activities are in compliance with international standards under domestic environmental safety legislation.

The State Emergency Service has reported that it is engaged in efforts to clear Ukrainian territory of explosive hazards, pursuant to the Protocol on Explosive Remnants of War (Protocol V) to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

In 2013, pyrotechnics units of the State Emergency Service were called upon more than 6,800 times to identify hazards, as a result of which they detected, cleared and destroyed more than 81,100 munitions (not counting small arms ammunition), including 1,380 aerial bombs. A total of approximately 2,100 hectares were cleared.

Under the city of Sevastopol's programme for sustainable socioeconomic, environmental and cultural development to 2015, the State Emergency Service cleared 130 hectares and surveyed 625 square metres of mining works and over

100,000 square metres of maritime area in 2013. It found and destroyed more than 12,000 munitions (not counting small arms ammunition).

Work was suspended in 2014 owing to the temporary occupation of the Autonomous Republic of Crimea by the Russian Federation.

In order to carry out further clean-up activities in coastal and maritime areas of Ukraine in 2014, the State Emergency Service conducted regular work on surveying and clearing explosive hazards in the Black Sea and the Sea of Azov in the provinces of Zaporozhye, Nikolayev, Odessa and Kherson.

In 2013, the State Emergency Service completed its activities under the State environmental programme for clean-up of the military base in Lozova, in Kharkiv province (2011-2013). During the life of the programme, 247 hectares (100 per cent) of territory where the armoury was located were cleared of explosive ordnance and some 35,000 tons of explosive hazards and their remnants were removed and destroyed. Environmental monitoring conducted during those activities indicated that there was no deterioration in the environment or negative impact on local residents' lives.

The following activities were conducted by the State Emergency Service in 2013 under international agreements on cooperation and technical assistance:

- Ongoing implementation of a joint Ukraine-Organization for Security and Cooperation in Europe (OSCE) project on capacity-building for the Government of Ukraine to clear explosive remnants of war in the Black Sea and the Sea of Azov, which has been extended to 31 December 2014.
- Implementation of a joint Ukraine-OSCE project on assistance to the Government of Ukraine for the reclamation of areas contaminated by explosive remnants of war and used as ammunition storage sites has been extended to 31 December 2014.

Under article X of the Chemical Weapons Convention, six representatives of the State Emergency Service attended training courses in 2013 organized by the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, including in the following areas:

- Providing emergency medical assistance to victims of hazardous chemicals
- Providing assistance and protection from chemical weapons
- Skills upgrading for experts from analytical laboratories
- Conducting rescue operations in chemically contaminated areas
- Conducting sampling and analysis in contaminated areas

Compliance with international and domestic environmental law is part of the planning for and implementation of Ukraine's international obligations for the destruction of PFM-1 anti-personnel mines and solid rocket fuel from RS-22 intercontinental ballistic missiles.

For example, out of the existing methods for the disposal of solid fuel from intercontinental ballistic missiles (incineration, explosion, physical dismantling, cryogenic extraction, chemical destruction and hydromechanical extraction), Ukraine has chosen to use hydromechanical extraction of the fuel from the loaded

motor cases, after which the fuel is processed into commercial-grade explosives and emulsion explosives.

This technology makes it possible to extract and reprocess the fuel without releasing any emissions into the air, water or soil. The conversion of explosives containing trinitrotoluene into emulsion explosives is in line with current practice around the world.

PFM-1 and PFM-1S anti-personnel mines and waste produced during the extraction and reprocessing of solid rocket fuel are destroyed at a specially designed and equipped facility. This facility is fitted out with up-to-date systems for the afterburning, filtration and neutralization of harmful solid and gaseous emissions that prevent any such wastes from being leaked into the environment.

The facility for disposal of empty motor cases, which was designed by Eisenmann, a German company, was built on the site of an enterprise with assistance from the United States of America. This facility is also equipped with systems for afterburning, filtration and neutralization of harmful solid and gaseous emissions.

The risk level of the solid substances that form during the disposal of PFM-1 anti-personnel mines and solid rocket fuel from RS-22 missiles allows for the use of such waste in the construction of roads and buildings.

In addition, the following activities are carried out by the Pavlograd chemical plant, a State-owned research and production enterprise:

- In order to conduct regular environmental monitoring and measurement of environmental hazards, a laboratory has been established to carry out occupational health testing and environmental monitoring. This laboratory has completed the State accreditation process and received a certificate of accreditation and a certificate of accreditation as a chemical and bacteriological laboratory.
- An environmental management system certified by the independent firm Bureau Veritas International as complying with the international standard for environmental management (ISO 14001) has been in place since 2003.
- During the design phase for new facilities, a preliminary environmental assessment is conducted to establish baseline environmental indicators for the soil, water and air, and periodic monitoring is carried out after the facilities go into operation. The results of this monitoring are reported to the public and to government authorities.
- Pre-emptive and regulatory measures are developed to preclude any changes to the actual state of the environment.
- Chimneys at these facilities are equipped with standard monitoring devices (gas analysers).

Environmental monitoring at the enterprise is also carried out by regional and central oversight authorities.